

March 11, 2010

Mr. Ford called the workshop session of the Union Township Planning Board/Board of Adjustment to order at 7:00 p.m. The Sunshine Statement was read.

Members Present: Mr. Nace, Mrs. Corcoran, Mr. Badenhausen, Mr. Ryland,
Mr. Kastrud, Mr. Ford, Mr. Kirkpatrick

Members Absent: Mr. Severino, Mr. Bischoff, Mr. Walchuk, Mr. Taibi

Others Present: Atty. Mark Anderson, Robert Clerico, Carl Hintz,
Atty. Scott Carlson, Kathy Adkins, Joseph Staigar
Michele McBride and Daughter

Approval of Minutes: Mr. Kirkpatrick made a motion to approve the minutes of the February 11, 2010 meeting. Mr. Ryland seconded the motion.

Vote: Ayes: Mr. Kirkpatrick, Mr. Ryland, Mr. Nace, Mr. Badenhausen,
Mr. Kastrud, Mr. Ford

Abstain: Mrs. Corcoran

Memorialization of Resolution: Ikaria: Block 23, Lot 2.04, 6 Route 173 West:

Mr. Kirkpatrick made a motion to memorialize the Resolution. Mr. Badenhausen seconded the motion.

Vote: Ayes: Mr. Kirkpatrick, Mr. Badenhausen, Mr. Nace, Mr. Ryland,
Mr. Kastrud, Mr. Ford

Abstain: Mrs. Corcoran

Pilot Travel Centers LLC: Block 11, Lot 24.03, 68 Route 173 West: Status Report
Traffic Engineer Joseph Staigar said that Pilot and the Board had come to an agreement that the shoulder of the north side of Route 173 would be widened. Widening the southeast shoulder of Route 173/Charlestown Road was also proposed. Mr. Staigar said the plans showing those changes were sent to NJDOT in October 2009. He said the spokesperson for the DOT told him they would need to have that change included in the existing Access Plan. Mr. Ford mentioned proposed improvements to the westbound exit off Route 78. Mr. Staigar said Pilot has DOT approval, subject to Federal Highway Administration approval.

Mr. Ford asked if there were any other impediments to the proposed changes. Mr. Kirkpatrick said he and Mr. Staigar had various e-mail exchanges. He said the one remaining issue is trucks making a right-hand turn onto Route 173 from Route 78. The trucks block the view of passenger vehicles attempting to make a left turn. Mr. Kirkpatrick said trucks sitting at the exit ramp tend to block both queue lanes causing a backup of westbound traffic. Mr. Staigar concurred. He referenced Exhibit A-11. Mr. Staigar noted the vision of a vehicle attempting to make a left-hand turn would be blocked by a queued truck. Mr. Kirkpatrick observed that about half of the vehicles making a left at the ramp also make a left at Charlestown Road.

He said the striped island is generally ignored. Mr. Kirkpatrick said the island could be eliminated, making it illegal for a vehicle to make a left-hand turn. Mr. Staigar said Pilot would probably not object to submitting that proposal to DOT. He thought DOT would probably not agree for safety purposes. Mr. Ford asked about posting signage along westbound Route 173 directing them to stay in the right lane. Mr. Staigar indicated that was a possibility. Mr. Staigar did not believe there would be an objection to adding the removal of the striping to the plan. Mr. Ford asked for comments from other Board members and Planner Hintz. There were none. Mr. Kirkpatrick said the facility generally operates well. However, the site does not have the capacity to queue all the trucks when the scale is open... There was supposed to be a sign at the front of the facility stating that the site was full. Truckers should be turned away when the site is full. Mr. Kirkpatrick said the sign and the function had not happened. Kathy Adkins said she had spoken with the general manager about the matter. Mr. Kirkpatrick said the State Police should be called when trucks back up. Mr. Ryland commented about information displayed on the sign. He thought the approval of the sign was solely to indicate the lot was full. Mr. Kirkpatrick said that was correct. He emphasized the procedure should be that the sign indicate the scale is closed until the queuing has been reduced. Ms. Adkins asked that she be contacted of problems.

Mr. Ryland voiced a concern about parking problems created by truckers, noting that attempts by the site attendant to alleviate the problem were generally ignored by truckers. Mr. Kirkpatrick referenced the lighting under the canopy. He said Pilot was to have shielded the lighting, rather than install full cutoff. The work has not been completed. Ms. Adkins indicated the matter should be resolved within two weeks. She will notify Mr. Hintz in order that he make an inspection. Mr. Kirkpatrick asked the status of wastewater improvements. Ms. Adkins thought it would be about four weeks before the NJDEP issues a permit. She said construction should begin within two months. Mr. Kirkpatrick asked what was being done to accelerate site remediation (groundwater remediation). Ms. Adkins acknowledged she did not know. Mr. Kirkpatrick asked that information be provided the next time Pilot returns to the Board. Atty. Anderson said the Resolution requires a schedule for completion of all site work to obtain no further action within twenty-four months of the approval. Mr. Anderson said that was not the only one requirement with respect to remediation. Mr. Kirkpatrick said the general gist of the testimony by Pilot was that the site would be cleaned up quicker than if it had remained Johnny's. Mr. Kirkpatrick requested that Pilot demonstrate that clean up was in fact proceeding at a faster rate than had been occurring prior to Pilot's ownership.

Mr. Staigar distributed copies of the no left turn truck signage. He said that information would be added to the Plan to be submitted to NJDOT if the Board has no objections. Mr. Kirkpatrick indicated that would be fine. Mr. Staigar said the sign would be in the DOT right-of-way, opposite of Pilot's site. It was the consensus of the Board that two additional no left turn signs be installed. Mr. Ryland asked that Pilot remove the Now Open Sign at Subway. Mr. Ford felt the public had adequate time to know that Subway was open. Ms Adkins concurred and indicated the signs would be removed immediately.

Mr. Ryland also mentioned the cigarette sign and merchandise displayed outside of Subway. The sign was not part of approval. Outdoor sales are not allowed. Ms. Adkins will look into the matter. Mr. Ryland referenced the NJDEP letter dated February 19, 2010 regarding the WQMP: The letter references seven-diesel pumps at Pilot. Mr. Ryland thought there were more than seven. He was assured there are only seven. Mr. Ford mentioned the intrusiveness of the lighting on the Cat Scale. Ms. Adkins said it was approved. Mr. Kirkpatrick agreed. Ms. Adkins offered however to look into reducing the brightness of the sign. Mr. Staigar asked direction regarding revising the Plan based on removal of striping and proposed signage. He said it would be submitted to Mr. Clerico for review. Mr. Staigar would then file it with NJDOT as a Change of Plan and await their decision. Mr. Ford asked that emphasis be placed on markings directing westbound vehicles to keep to the right. Mrs. Corcoran asked about meters for wastewater flow. Ms. Adkins said meters were installed, have been read and reports have been made. Ms. Adkins also invited the Board to visit the site and read the meters. Mr. Kirkpatrick asked that meter-reading results be submitted to the Township Engineer. Atty. Anderson said the Resolution requires that meter readings be submitted in such manner as the Township Engineer may require from time to time. Mr. Kirkpatrick indicated that this discussion will serve as the Engineer's request for Pilot to provide the meter readings.

Atty. Carlson said Pilot is awaiting approval of the as-builts. Ms. Adkins said Pilot is seeking a reduction in the maintenance bond. Mr. Carlson said Pilot had discussed replacing the current performance bond with a bond for the remaining NJDOT work and the Wastewater Treatment Plant. Mr. Clerico indicated that Pilot must submit a formal request to the Township for their evaluation before any action on the performance bond can be considered. A copy of the existing bond should be included, as well as other pertinent information. Mr. Ford thanked Pilot representatives for the status report. Pilot is scheduled to appear at the June 11, 2010 Workshop.

Correspondence: Pilot Travel Centers, LLC: Water Quality Management Plan Mentioned above. No action required. **Pattensburg Quarry: NJDEP Land Use Regulations Permits** No action required.

Comments from the Public: Michele McBride, Olde Forge Lane, introduced her daughter. She had been asked by her eighth-grade teacher to attend Township meetings. Mr. Ford signed the agenda to present to her teacher. Michele mentioned the No-Idling Law that will take effect May 1, 2010. Trucks with sleeper berths will no longer be able to idle for more than three minutes. There is a \$250.00 penalty for the first offense. Ms. McBride thought Pilot should be alerted to the law so they could place signs at the site. The No-Idling Law is a NJDEP Regulation. Mr. Kirkpatrick said No-Idling Signage was part of the Pilot approval.

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Mr. Ford announced that the Franklin Township, Warren County Truck Depot application has been withdrawn. He also said the Farmland Preservation Plan would be on the March 25, 2010 agenda.

Motion to Adjourn: Mrs. Corcoran made a motion to adjourn. Mr. Kirkpatrick seconded the motion. (7:55 p.m.)